

Menstrua was alleged for the further reason that the statements, "Menstrua is guaranteed to comply with strict requirements of the Pure Food and Drug Law. It is made from * * * safe, harmless ingredients", appearing in the circular shipped with the article, were false and misleading since they represented that the article complied with the requirements of the Federal Food and Drugs Act and was made from safe, harmless ingredients, whereas it did not comply with the Federal Food and Drugs Act and contained laxative and so-called emmenagogue drugs which are not safe and harmless. Misbranding of the Hygeen Tablets was alleged for the further reason that the statements, "Hygeen Tablets", "Germ Destroying Foam", "terrific * * * germ destruction", "a powerful germ destroying foam which remains active for many hours to sterilize every vestige of infectious uterine secretions and discharges in the vagina", "They have 1½ times the germ destroying power of carbolic acid per Rideal & Walker Phenol Coefficiency Test", "By killing germ life with Hygeen Tablets", "It must maintain its germ-destroying power for many hours after insertion", and "Antiseptic", appearing in the circular shipped with the article, and the statement "Hygeen Tablets", borne on the tubes containing the article, were false and misleading, since the article was not hygiene tablets, it was not a germ destroyer, and was not a powerful germ-destroying foam which remained active for many hours to sterilize every vestige of infectious uterine secretions and discharge in the vagina; said tablets had no germ-destroying power, could not kill germ life, and were not antiseptic when used as directed.

On October 16, 1935, the defendant entered a plea of guilty and the court imposed a fine of \$50.

W. R. GREGG, *Acting Secretary of Agriculture.*

25094. Adulteration and misbranding of Meth-O-Sol and The Cholax Brand Pulvis Effervescens Sodii Phosphatis Comp. (Kelvan). U. S. v. George T. Lambert, G. Duke Lambert, and Mary W. Lambert, trading as the Crescent-Kelvan Co. Pleas of nolo contendere. George T. Lambert fined \$25 and sentence as to G. Duke Lambert and Mary W. Lambert suspended. (F. & D. no. 34006. Sample nos. 10457-B, 10458-B.)

Unwarranted curative and therapeutic claims were made for these products, and they differed in strength, quality, and purity from the United States Pharmacopoeia standards for the drugs under the names of which they were sold.

On September 4, 1935, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court an information against George T. Lambert, G. Duke Lambert, and Mary W. Lambert, trading as the Crescent-Kelvan Co., Philadelphia, Pa., alleging shipments by them, in violation of the Food and Drugs Act as amended, in the period from December 4, 1933, to April 9, 1934, from Philadelphia, Pa., to Wilmington, Del., and Atlantic City, N. J., of quantities of Meth-O-Sol and The Cholax Brand Pulvis Effervescens Sodii Phosphatis Comp. (Kelvan), which were adulterated and misbranded. The articles were labeled in part: (Jars and cartons) "Meth-O-Sol Use As A Liniment Manufactured exclusively by The Crescent-Kelvan Co. Philadelphia, Pa., U. S. A."; (bottle and carton) "The (Registered Word-Mark) Cholax Brand Pulvis Effervescens Sodii Phosphatis Comp. (Kelvan) Originated, Owned and Distributed by The Crescent-Kelvan Company Philadelphia, Pa."

Analyses showed that the Meth-O-Sol consisted of turpentine, camphor, methyl salicylate, and capsicum oleoresin, in a base of paraffin and petrolatum; and that the Cholax Brand Pulvis Effervescens Sodii Phosphatis Comp. (Kelvan) was a granular material consisting of sodium phosphate, anhydrous (15.8 percent), sodium sulphate, anhydrous (19.6 percent), magnesium sulphate, anhydrous (10.6 percent), together with an effervescent base of sodium bicarbonate, citric acid, and tartaric acid.

The Meth-O-Sol was alleged to be adulterated in that it was sold under a name recognized in the United States Pharmacopoeia and differed from the standard for the drug of that name stated in that compendium, and its own standard was not declared on the container.

The Cholax Brand Pulvis Effervescens Sodii Phosphatis Comp. (Kelvan) was alleged to be adulterated in that it was sold under a name recognized in the United States Pharmacopoeia and differed from the standard for the drug of that name stated in that compendium, and its own standard was not declared on its container.

The Meth-O-Sol was alleged to be misbranded in that the jar and carton labels and a circular enclosed in the carton bore and contained false and fraudulent statements that the article was effective, among other things, as a treatment for congestion or inflammation of the lungs, pneumonia, croup, neuritis, rheumatism, pleurisy, lumbago, backache, sciatica, incipient pneumonia, hoarseness, and sore throat; and effective in the alleviation of tonsillitis and enlarged glands, and as a relief from pain and stiffness of the muscles and joints.

The Cholax Brand Pulvis Effervescens Sodii Phosphatis Comp. (Kelvan) was alleged to be misbranded in that the bottle and carton labels and a circular enclosed in the carton bore and contained false and fraudulent statements that the article was effective, among other things, as a treatment for rheumatism, gout, jaundice, uric acid conditions, dizziness, biliousness, nausea, affections of the stomach, liver, and kidneys; effective to stimulate the intestinal secretions necessary to a healthy digestion and to regulate the liver, kidneys, and bowels; effective as a stomach and liver salt; effective as an antilithic and antirheumatic; effective as a therapeutic value wherever a uric acid solvent, hepatic, stimulant, toxæmic, eliminant, or gastric sedative is required; and effective as an alterative.

On January 21, 1936, pleas of nolo contendere were entered. On February 21, 1936, a fine of \$25 was imposed upon George T. Lambert and sentence was suspended as to G. Duke Lambert and Mary W. Lambert.

W. R. GREGG, *Acting Secretary of Agriculture.*

25095. Misbranding of Prescription No. 69. U. S. v. Home Drug Co., a corporation. Plea of nolo contendere. Fine, \$50. (F. & D. no. 34022. Sample no. 41455-A.)

Unwarranted curative and therapeutic claims were made for this article.

On September 24, 1935, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Home Drug Co., a corporation, Minneapolis, Minn., alleging shipment in violation of the Food and Drugs Act, on or about May 1, 1934, from the State of Minnesota into the State of Iowa of a quantity of Prescription No. 69 that was misbranded. The article consisted of a liquid contained in a bottle and tablets contained in a box, and was labeled in part: (Bottle) "Home Drug Co., Minneapolis, Prescription No. 69 Alcohol .02% * * * Regular Price \$2.00 per Bottle"; (box) "Laxative Triangles * * * 25¢ per Package."

Analysis showed that the article consisted essentially of glycerin, together with a small amount of aromatics and plant extractives.

Misbranding of the article was charged under the allegations that the labels of the bottle and box bore, and that a circular in the package contained, statements regarding the curative and therapeutic effects of the article; and that the statements falsely and fraudulently represented that the article was effective, among other things, as a treatment, remedy, and cure for liver and gall bladder trouble, gall colic, liver and gall disorders and stomach trouble; was effective as a treatment for soreness and pain due to liver and bladder troubles; and was effective when used in connection with Laxative Triangles as a treatment for constipation due to liver trouble and gallstone disorders.

On September 30, 1935, a plea of nolo contendere having been entered, a fine of \$50 was imposed.

W. R. GREGG, *Acting Secretary of Agriculture.*

25096. Adulteration and misbranding of spirits of turpentine. U. S. v. Elk Manufacturing Co. Plea of guilty. Fine, \$100. (F. & D. no. 34030. Sample no. 27843-B.)

This case involved an interstate shipment of spirits of turpentine which fell below the standard established by the United States Pharmacopoeia.

On July 8, 1935, the United States attorney for the Eastern District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Elk Manufacturing Co., a corporation, Jellico, Tenn., alleging shipment by said company in violation of the Food and Drugs Act on or about September 5, 1934, from the State of Tennessee into the State of Arkansas, of a quantity of spirits of turpentine which was adulterated and misbranded. The article was labeled in part: "Elk Brand * * * Spirits Turpentine Elk Manufacturing Company * * * Jellico, Tenn."